

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
AFFYMETRIX, INC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-901 (JJF)
)	
ILLUMINA, INC.)	
)	
Defendant.)	
_____)	

**JOINT STIPULATION OF THE PARTIES TO FOREGO RESPONSES TO
PRE-VERDICT JMOL MOTIONS FILED UNDER RULE 50(A)**

IT IS HEREBY STIPULATED AND AGREED that the parties will not file briefs in Opposition to their respective pre-verdict Motions for JMOL under Fed. R. Civ. P. 50(a), and will address any properly renewed Motions for JMOL at the appropriate time as established by the Court.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

MORRIS JAMES LLP

/s/ Maryellen Noreika (#3208)

/s/ Richard K. Herrmann (#405)

Jack B. Blumenfeld (#1014)
Maryellen Noreika (#3208)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
Attorneys for Affymetrix, Inc.

Richard K. Herrmann (#405)
Mary B. Matterer (#2696)
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Attorneys for Illumina, Inc.

SO ORDERED this _____ day of March, 2007.

UNITED STATES DISTRICT JUDGE